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Dee May  
Director  
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ORIGINAL



October 8, 1999 EX PARTE OR LATE FILED RECEIVED

**Ex Parte**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

OCT 08 1999  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: CC Docket No. 99-295: In the Matter of Application of Bell Atlantic Pursuant to Section 271 of the Telecommunications Act of 1996 to Provide In-Region, InterLATA Services in New York**

Prior to filing Bell Atlantic's Application for Long Distance relief in New York, Bell Atlantic met with members of the Common Carrier Bureau Policy Division to present an overview of an analysis conducted by Dr. Gertner and Dr. Bamberger of Bell Atlantic-New York's performance interval metrics. This analysis is contained in our New York application referenced above. Subsequent to that meeting Mr. Eric Einhorn of the Policy Division asked that we address three questions. Our response to Mr. Einhorn is attached.

As presented in the Public Notice (DA-99-2014) issued by the FCC on September 29, 1999, the 20 page ex parte limit does not apply to this ex parte since Bell Atlantic is responding to direct questions raised by Commission staff. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Dee May".

Attachment

Cc: E. Einhorn  
A. Kearney  
C. Matthey

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October 8, 1999

Mr. Eric Einhorn  
Federal Communications Commission  
Common Carrier Bureau-Policy Division  
445 12<sup>th</sup> Street, SW 5<sup>th</sup> Floor  
Washington, DC 20554

Dear Mr. Einhorn,

On September 20 Bell Atlantic met with you and other members of the Common Carrier Bureau staff to discuss New York provisioning intervals and the associated metrics. Specifically, we reviewed an analysis conducted by Dr. Gertner and Dr. Bamberger. Subsequent to that meeting and prior to our September 29<sup>th</sup> filing of our New York Application you asked that we address some follow up questions you had related to that meeting. Please find our responses below.

**FCC QUESTION 1:** On page three of your handout from our meeting held on September 20, there is the following statement: "If an order has a BA-NY generated missed appointment, the current measurement system attributes all delay days, regardless of cause, to BA-NY, which is more severe than the carrier to carrier metric." We are under the impression that the measures referenced in the Performance Plan are also C2C metrics (and that the C2C measures are not modified when imported into the Performance Plan). In addition, it is our understanding that BA-NY calculates the measures in compliance with the C2C business rules. We would appreciate it if you would correct us and/or clarify what you meant in the last part of the quoted sentence.

**BA RESPONSE:** The description of this metric in the C2C Guidelines states that it measures misses "due to Bell Atlantic reasons." In other words, the intent of the C2C measure of delay days is to measure BA delay days. Our systems have not as yet been able to differentiate BA delay days from CLEC delay days when an order has both a BA miss and a CLEC miss. BA's goal is to measure performance in compliance with the business rules of C2C. In some circumstances, meeting the exact requirements of C2C takes extensive programming. Therefore, in the interim, BA has been providing delay days in this manner. The program "fix" has been in the works for some time and is scheduled for delivery with the reporting of October performance.

**FCC QUESTION 2:** On page four of the handout it is explained that 87.7% of missed UNE Rejects (i.e., 95% within two hours) occurred because "orders were received when SOP was off line for routine night processing" and could not, therefore, be processed within two hours. Does this same problem occur with OR 1-02 % "On Time LSRC-Flow Through-POTS-2hrs"? And if so, why is the rate at 96.64% for July?

**BA RESPONSE:** Yes, we believe that problem impacts OR-1-02 % on Time LSRC Flow through. Because we did not miss the 95% performance standard, we did not perform a root cause analysis. Differing reject rates during the middle of the night account for the differences in

performance. This may be the nature of the types of orders that are sent during the middle of the night. It's possible that the percent on time LSRs would increase for July, but we have not performed a study to determine how much.

FCC QUESTION 3: You have previously explained that the July -2s for PR 3-08 "% Completed w/in 5 days (1-5 lines-No Dispatch)-UNE-P/Other" and PR 3-09 "% Completed w/in 5 days (1-5 lines-Dispatch)-POTS" are explained by CLEC failure to properly X code their LSRs. Have you done an examination or study (either by sampling or examination of all the observations) to show how much of the difference between BA and CLEC performance is explained by improper CLEC X coding? If so, are you able to share the results with us at this time?

BA RESPONSE: Yes, Dr. Gertner and Dr. Bamberger, who performed the interval analysis, also looked at PR-3-08. The results of their study are included in their Declaration, which is attached to BA-NY's 271 Application. Their findings are quoted below:

"Based on the random samples of completed orders for July and August, we have analyzed the percentage of service orders completed within five days for non-dispatch, 1-5 lines POTS, W-coded wholesale orders. We find that, in July, the percentage of these orders filled within five days is 98.9 percent for resale orders and 89.0 percent for UNE platform orders. In August, the percentage of these orders filled within five days is 97.8 percent for resale orders and 94.2 percent for UNE platform orders.

"However, we find that each of these categories includes orders where the customer requested an interval longer than five days. If these orders are excluded from the analysis, the percentage of orders filled within five days in July rises to 99.2 percent for resale orders and 94.5 percent for UNE platform orders. If these orders are excluded from the August data, the percentage of orders filled within five days rises to 98.3 percent for resale orders and 97.6 percent for UNE platform orders. We conclude that if orders where the requested service interval is more than five days are not excluded from the analysis, the metric based on percentages of orders filled within five days can substantially understate BA-NY's performance in the provisioning of wholesale orders."

Please feel free to contact me if you have any additional questions.

Sincerely,



Cc: A. Kearney  
C. Matthey